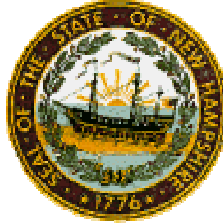


THE STATE OF NEW HAMPSHIRE SUPREME COURT



Court
John T. Broderick, Jr.
03301
Chief Justice

N.H. Supreme

Concord, NH

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May 1, 2008

His Excellency John Lynch
Governor, State of New Hampshire
State House, Rooms 208-214
Concord, NH 03301

Senator Lou D'Allesandro, Chairman
Senate Finance Committee
State House, Room 100
Concord, NH 03301

Hon. Marjorie K. Smith, Chairperson
House Finance Committee
LOB, Rooms 210-211
Concord, NH 03301

Dear Governor John Lynch, Chairman D'Allesandro and Chairperson Smith:

In light of additional information about the state's economic condition, my colleagues and I have reviewed our previously-approved Judicial Branch budget for FY 2009 and identified steps that could be taken, if requested by the legislature, to reduce our general fund spending (over and above lapses) over the next year by \$2,253,000. Enclosed is a worksheet of those proposed reductions, set out in three levels which we hope will help guide your decision making. If we are asked for even further spending reductions, we would propose a voluntary, non-paid two-day furlough (on average) available to all judicial and non-judicial employees. We strongly recommend against that course of action, but, as a last resort, it would prevent us from having to lay off personnel to produce more savings.

We look forward to meeting with Senator D'Allesandro and Representative Smith on May 5 to discuss the Judicial Branch budget and we would welcome an opportunity for a similar meeting with the Governor, as well as his budget director. While we fully support the state's effort to reduce spending in the face of difficult economic times, there is no doubt that the deep reductions in our FY 09

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spending that we have identified would have significant ramifications throughout our justice system, affecting judges and staff alike. Our greatest concern, however, is the impact such reductions would have on the quality of service we will be able to provide to citizens who come to our courts.

After years of operating on an expense-maintenance budget, the FY 08-09 Judicial Branch appropriation included funds that we had specifically designated for improving customer service. That new funding allowed us to improve our services with additional case managers, build our website as an important communication tool, better train our staff to serve the public, especially the growing number of self-represented litigants, and launch an office of mediation and arbitration designed to help resolve disputes out of court, saving citizens time and money. I give much credit for these advances to the Citizens Commission on the State Courts, whose work added a new and influential voice in the budget process. Their recommendations for improving court services were incorporated into the Judicial Branch Strategic Plan which became the blueprint for our budget request. We received an increase of \$1.4 million in FY 08 above our maintenance level and \$1.2 million in FY 09 over maintenance. Those increases added significant value to the administration of justice and the thought of deep reductions is concerning.

Our concern now is that spending reductions of the magnitude we have identified, in a budget that has been painfully lean for years, will seriously erode the progress we have made in our effort to better serve our citizens and have a substantial impact on the morale of judges, marital masters, and staff throughout the judicial system. We have the additional concern that in next biennium, our budget will not be restored to the level we began with before we were asked to absorb a year of serious reductions.

Our administrative judges and my colleagues on the Supreme Court, as well as senior staff for the Administrative Office of the Courts, worked closely together to identify reductions in a way that their considerable impact would fall fairly on all elements of the court system. The effect will be the same across the Judicial Branch: whether it is processing an order from the Supreme Court, holding a landlord tenant hearing or a making a decision on child custody or support case. Fewer judges and staff means backlogs and delays.

Be assured that all of us in the Judicial Branch recognize that worsening economic conditions in New Hampshire and nationally and that diminished revenue projections compel all of us to take a harder look at our spending. We accept that responsibility. At the same time, we urge you to keep in mind, as I know you will, that the swift and fair administration of justice is uniquely important to our citizens.

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I speak on behalf of all my colleagues, throughout the court system, and our staff, that we are ready to work with you in the spirit of cooperation and on behalf of all New Hampshire citizens.

Very truly yours,

John T. Broderick, Jr.
Chief Justice

JTB/pah
Enclosures
Cc: Linda Hodgdon